

U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd floor
New York, NY 10007

May 19, 2021

BY ECF

Hon. Barbara C. Moses
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

MEMO ENDORSED

Re: *Mannouris v. Saul*, No. 20 Civ. 9790 (AT) (BCM)

Dear Judge Moses:

This Office represents the Commissioner of Social Security (the “Commissioner”), the defendant in the above-referenced action, which the plaintiff brought pursuant to 42 U.S.C. § 405(g) to appeal the Commissioner’s decision to deny his application for Social Security disability benefits.

I respectfully write to request, with the plaintiff’s consent, a 60-day extension of time for the Commissioner to file the certified administrative record in this case, from May 14, 2021, to July 13, 2021, *nunc pro tunc*. The extension is needed because the COVID-19 pandemic has significantly impacted the operations of the Social Security Administration (“SSA”) and its Office of Appellate Operations (“OAO”) and materially affected its ability to prepare certified administrative records. As described in the Declaration of Jebby Rasputnis, dated March 17, 2021, beginning in mid-March 2020, the SSA restricted physical access to its physical buildings. (Rasputnis Decl. ¶ 2.) Since that time, OAO has been working to overhaul, redo, refine, and streamline its business processes to continue operations remotely. (Rasputnis Decl. ¶ 2.) It has now reached and surpassed pre-pandemic levels of production of electronic certified administrative records. (Rasputnis Decl. ¶ 2.) However, while the OAO transitioned to a virtual process, the number of new cases filed in federal court also increased, creating a significant backlog that the OAO is still working to address. (Rasputnis Decl. ¶¶ 3-5.)

The plaintiff does not object to this request. This is the Commissioner’s second request for an extension of time to file the record. The Court previously granted the Commissioner a 60-day extension to file the record. (Dkt. No. 11.)

I thank the Court for its consideration of this request.

Respectfully,

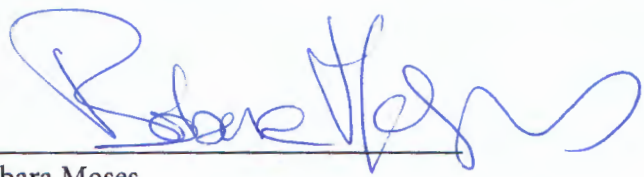
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cc: Charles Binder, Esq.
Attorney for Plaintiff

Application GRANTED. No further extensions will be granted absent compelling circumstances. SO ORDERED.



Barbara Moses
United States Magistrate Judge
May 20, 2021